

DECLARATION AND POWER OF ATTORNEY

In re Application of: **Robert Martin DICKSON; Jie ZHENG; Lynn Anne CAPADONA;
Jeffrey Thomas PETTY; Sandeep Ajit PATEL; and Marcus WECK**

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next our names. We believe we are the original, first and sole inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: **"RAMAN-ENHANCING, AND NON-LINEAR OPTICALLY ACTIVE NANO-SIZED OPTICAL LABELS AND USES THEREOF,"** the specification of which:

☐ is attached hereto.

☒ was filed on **September 8, 2006** as Application No. 10/598,722 (I hereby authorize and request that Sutherland Asbill & Brennan LLP insert the application number in the preceding blank when known); and

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. We do not know and do not believe that the same was ever known or used by others in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to the date of this application. We further state that the invention was not in public use or on sale in the United States of America more than one year prior to the date of this application. We *understand that we have a duty of candor and good faith toward the Patent and Trademark Office*, and we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of the foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate disclosing subject matter in common with the above-identified specification and having a filing date before that of the application on which priority is claimed:

Application No.	Country	Filing Date	Priority Claimed Under 35 USC §119	
			YES	NO

We hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Application No.	Country	Filing Date	Priority Claimed Under 35 USC §119	
			YES	NO
60/551,816	US	March 10, 2004	√	

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter disclosed and claimed in the present application is not disclosed in the prior United States application in the manner provided by the first

paragraph of Title 35, United States Code §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application;

Application No.	Country	Filing Date	Status: Patented, Pending, Abandoned
PCT/US2005/00764 9	PCT	March 10, 2005	Pending


We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

POWER OF ATTORNEY: We appoint the practitioners associated with Customer No. 29052, which currently includes:

Peter G. Pappas – Reg. No. 33,205; Daniel J. Warren – Reg. No. 34,272; William L. Warren – Reg. No. 36,714; Malvern U. Griffin III – Reg. No. 38,899; Kevin W. King – Reg. No. 42,737; William R. Silverio - Reg. No. 45,383; Russell A. Korn - Reg. No. 54,236; Kathryn H. Wade - Reg. No. 54,682; Michael I. Krause – Reg. No. 53,157; Hoang M. Vo - Reg. No. 47,158; William F. Long - Reg. No. 51,967; Robert J. Walters - Reg. No. 40,862; Christina Ondrick - Reg. No. 46,198; Lei Fang – Reg. No. 44,676; Elizabeth A. Lester – Reg. No. 55,373; Jason Chang – Reg. No. 58,092; William Cook – Reg. No. 58,072

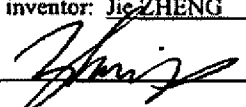
to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Send correspondence to: **Kathryn H. Wade, Esq.**
SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, NE
Atlanta, GA 30309-3996
Direct telephone calls at (404) 853-8064

Full name of first inventor: <u>Robert Martin DICKSON</u>	Citizenship: <u>US</u>
Inventor's signature: 	Date: <u>5/15/07</u>
Residence and Post Office Address: <u>2969 Dale Drive NE, Atlanta, Georgia 30305</u>	

Attorney Docket No. 17625-0100

Title: *Raman-Enhancing, and Non-Linear Optically Active Nano-Sized Optical Labels and Uses Thereof*
Page 3

Full name of second inventor: <u>Jie ZHENG</u>	Citizenship: <u>CN</u>
Inventor's signature <u></u>	Date: <u>5/14/2007</u>
Residence and Post Office Address: <u>10 Hillside Circle, Apt. #3, Somerville, Massachusetts 02143</u>	

Full name of third inventor: <u>Lynn Anne CAPADONA</u>	Citizenship: <u>US</u>
Inventor's signature _____	Date: _____
Residence and Post Office Address: <u>8848 Belton Drive, North Ridgeville, Ohio 44035</u>	

Full name of fourth inventor: <u>Jeffrey Thomas PETTY</u>	Citizenship: <u>US</u>
Inventor's signature _____	Date: _____
Residence and Post Office Address: <u>8 Duchess Court, Travelers Rest, South Carolina 29690</u>	

Full name of fifth inventor: <u>Sandeep Ajit PATEL</u>	Citizenship: <u>US</u>
Inventor's signature _____	Date: _____
Residence and Post Office Address: <u>347 11th Street, Atlanta, Georgia 30318</u>	


Full name of sixth inventor: <u>Marcus WECK</u>	Citizenship: <u>DE</u>
Inventor's signature _____	Date: _____
Residence and Post Office Address: <u>915 Argonne Avenue, #1, Atlanta, Georgia 30309</u>	

Attorney Docket No. 17625-0100

Title: *Raman-Enhancing, and Non-Linear Optically Active Nano-Sized Optical Labels and Uses Thereof*

Page 3

Full name of second inventor: <u>Jie ZHENG</u>	Citizenship: <u>CN</u>
Inventor's signature _____	Date: _____
Residence and Post Office Address: <u>2167-J Lake Park Drive, Smyrna, Georgia 30080</u>	

Full name of third inventor: <u>Lynn Anne CAPADONA</u>	Citizenship: <u>US</u>
Inventor's signature <u></u>	Date: <u>5/14/2007</u>
Residence and Post Office Address: <u>8848 Belton Drive, North Ridgeville, Ohio 44035</u> <u>44039</u> <u>me</u>	

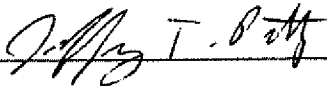
Full name of fourth inventor: <u>Jeffrey Thomas PETTY</u>	Citizenship: <u>US</u>
Inventor's signature _____	Date: _____
Residence and Post Office Address: <u>8 Duchess Court, Travelers Rest, South Carolina 29690</u>	

Full name of fifth inventor: <u>Sandeep Ajit PATEL</u>	Citizenship: <u>US</u>
Inventor's signature _____	Date: _____
Residence and Post Office Address: <u>347 11th Street, Atlanta, Georgia 30318</u>	

Full name of sixth inventor: <u>Marcus WECK</u>	Citizenship: <u>DE</u>
Inventor's signature _____	Date: _____
Residence and Post Office Address: <u>915 Argonne Avenue, #1, Atlanta, Georgia 30309</u>	

Full name of second inventor: Jie ZHENG Citizenship: CN
Inventor's signature _____ Date: _____
Residence and Post Office Address: 2167-J Lake Park Drive, Smyrna, Georgia 30080

Full name of third inventor: Lynn Anne CAPADONA Citizenship: US
Inventor's signature _____ Date: _____
Residence and Post Office Address: 8848 Belton Drive, North Ridgeville, Ohio 44035

Full name of fourth inventor: Jeffrey Thomas PETTY Citizenship: US
Inventor's signature  Date: 5/25/07
Residence and Post Office Address: 8 Duchess Court, Travelers Rest, South Carolina 29690

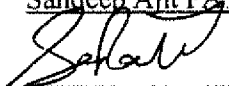
Full name of fifth inventor: Sandeep Ajit PATEL Citizenship: US
Inventor's signature _____ Date: _____
Residence and Post Office Address: 347 11th Street, Atlanta, Georgia 30318

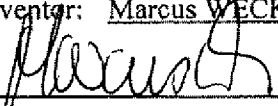
Full name of sixth inventor: Marcus WECK Citizenship: DE
Inventor's signature _____ Date: _____
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Full name of second inventor: <u>Jie ZHENG</u>	Citizenship: <u>CN</u>
Inventor's signature _____	Date: _____
Residence and Post Office Address: <u>2167-J Lake Park Drive, Smyrna, Georgia 30080</u>	

Full name of third inventor: <u>Lynn Anne CAPADONA</u>	Citizenship: <u>US</u>
Inventor's signature _____	Date: _____
Residence and Post Office Address: <u>8848 Belton Drive, North Ridgeville, Ohio 44035</u>	

Full name of fourth inventor: <u>Jeffrey Thomas PETTY</u>	Citizenship: <u>US</u>
Inventor's signature _____	Date: _____
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Full name of fifth inventor: <u>Sandeep Ajit PATEL</u>	Citizenship: <u>US</u>
Inventor's signature <u></u>	Date: <u>8/16/07</u>
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Full name of sixth inventor: <u>Marcus WECK</u>	Citizenship: <u>DE</u>
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